

103^D CONGRESS
1ST SESSION

H. R. 631

To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 1993

Mr. SKAGGS (for himself, Mr. MCINNIS, and Mrs. SCHROEDER) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Colorado Wilderness
5 Act of 1993”.

6 **SEC. 2. ADDITIONS TO THE WILDERNESS PRESERVATION**
7 **SYSTEM.**

8 (a) ADDITIONS.—The following lands in the State of
9 Colorado are hereby designated as wilderness and, there-

1 fore, as components of the National Wilderness Preserva-
2 tion System:

3 (1) Certain lands in the Gunnison Basin Re-
4 source Area administered by the Bureau of Land
5 Management which comprise approximately 3,390
6 acres, as generally depicted on a map entitled
7 “America Flats Additions to the Big Blue Wilder-
8 ness-Proposal (American Flats)”, dated January,
9 1993, and which are hereby incorporated in and
10 shall be deemed to be a part of the wilderness area
11 designated by Public Law 96–560 and renamed
12 “Uncompahgre Wilderness” by section 3(f) of this
13 Act.

14 (2) Certain lands in the Gunnison Resource
15 Area administered by the Bureau of Land Manage-
16 ment which comprise approximately 815 acres, as
17 generally depicted on a map entitled “Bill Hare
18 Gulch and Larson Creek Additions to the Big Blue
19 Wilderness”, dated January, 1993, and which are
20 hereby incorporated in and shall be deemed to be a
21 part of the wilderness area designated by Public
22 Law 96–560 and renamed “Uncompahgre Wilder-
23 ness” by section 3(f) of this Act.

24 (3) Certain lands in the Pike and San Isabel
25 National Forests which comprise approximately

1 43,410 acres, as generally depicted on a map enti-
2 tled "Buffalo Peaks Wilderness Proposal", dated
3 January, 1993, and which shall be known as the
4 Buffalo Peaks Wilderness.

5 (4) Certain lands in the Gunnison National
6 Forest and in the Bureau of Land Management
7 Powderhorn Primitive Area which comprise approxi-
8 mately 60,100 acres as generally depicted on a map
9 entitled "Powderhorn Wilderness Proposal", dated
10 January, 1993, and which shall be known as the
11 Powderhorn Wilderness.

12 (5) Certain lands in the Routt National Forest
13 which comprise approximately 20,750 acres, as gen-
14 erally depicted on a map entitled "Davis Peak Addi-
15 tions to Mount Zirkel Wilderness Proposal", dated
16 January, 1993, and which are hereby incorporated
17 in and shall be deemed to be a part of the Mount
18 Zirkel Wilderness designated by Public Law 88-555.

19 (6) Certain lands in the Grand Mesa,
20 Uncompahgre, and Gunnison National Forests
21 which comprise approximately 33,060 acres as gen-
22 erally depicted on a map entitled "Fossil Ridge Wil-
23 derness Proposal", dated January, 1993, and which
24 shall be known as the Wren and Tim Wirth Wilder-
25 ness Area.

1 (7) Certain lands in the San Isabel National
2 Forest which comprise approximately 22,040 acres
3 as generally depicted on a map entitled “Greenhorn
4 Mountain Wilderness Proposal”, dated January,
5 1993, and which shall be known as the Greenhorn
6 Mountain Wilderness.

7 (8) Certain lands within the Pike and San Isa-
8 bel National Forests which comprise approximately
9 14,700 acres, as generally depicted on a map enti-
10 tled “Lost Creek Wilderness Addition Proposal”,
11 dated January, 1993, which are hereby incorporated
12 in and shall be deemed to be a part of the Lost
13 Creek Wilderness designated by Public Law 96–560:
14 Provided, That the Secretary of Agriculture (herein-
15 after in this Act referred to as the “Secretary”) is
16 authorized to acquire, only by donation or exchange,
17 various mineral reservations held by the State of
18 Colorado within the boundaries of the Lost Creek
19 Wilderness additions designated by this Act.

20 (9) Certain lands in the Grand Mesa,
21 Uncompahgre, and the Gunnison National Forests
22 which comprise approximately 5,500 acres, as gen-
23 erally depicted on a map entitled “Oh-Be-Joyful Ad-
24 dition to the Raggeds Wilderness Proposal”, dated
25 January, 1993, and which are hereby incorporated

1 in and shall be deemed to be a part of the Raggeds
2 Wilderness designated by Public Law 96-560.

3 (10) Certain lands in the Rio Grande National
4 Forest which comprise approximately 226,455 acres,
5 as generally depicted on a map entitled “Sangre de
6 Cristo Wilderness Proposal”, dated January, 1993,
7 and which shall be known as the Sangre de Cristo
8 Wilderness.

9 (11) Certain lands in the Routt National Forest
10 which comprise approximately 47,140 acres, as gen-
11 erally depicted on a map entitled “Sarvis Creek Wil-
12 derness Proposal (Sarvis Creek Wilderness)”, dated
13 January, 1993, which shall be known as the Sarvis
14 Creek Wilderness: Provided, That the Secretary is
15 authorized to acquire by purchase, donation, or ex-
16 change, lands or interests therein within the bound-
17 aries of the Sarvis Creek Wilderness only with the
18 consent of the owner thereof.

19 (12) Certain lands in the San Juan National
20 Forest which comprise approximately 31,100 acres,
21 as generally depicted on a map entitled “South San
22 Juan Wilderness Expansion Proposal” (V-Rock
23 Trail and Montezuma Peak), dated January, 1993,
24 and which are hereby incorporated in and shall be

1 deemed to be a part of the South San Juan Wilder-
2 ness designated by Public Law 96-560.

3 (13) Certain lands in the White River National
4 Forest which comprise approximately 8,330 acres, as
5 generally depicted on a map entitled "Spruce Creek
6 Additions to the Hunter-Fryingpan Wilderness Pro-
7 posal", dated January, 1993, and which hereby in-
8 corporated in and shall be deemed to be part of the
9 Hunter Fryingpan Wilderness designated by Public
10 Law 95-327: Provided, That no right, or claim of
11 right, to the diversion and use of the waters of Hun-
12 ter Creek, the Fryingpan or Roaring Fork Rivers, or
13 any tributaries of said creeks or rivers, by the
14 Fryingpan-Arkansas Project, Public Law 87-590,
15 and the reauthorization thereof by Public Law 93-
16 193, as modified as proposed in the September 1959
17 report of the Bureau of Reclamation entitled "Ruedi
18 Dam and Reservoir, Colorado", and as further modi-
19 fied and described in the description of the proposal
20 contained in the final environmental statement for
21 said project, dated April 16, 1975, under the laws
22 of the State of Colorado, shall be prejudiced, ex-
23 panded, diminished, altered, or affected by this Act.
24 Nothing in this Act shall be construed to expand,
25 abate, impair, impede, or interfere with the con-

1 construction, maintenance, or repair of said Fryingpan-
2 Arkansas Project facilities, nor the operation there-
3 of, pursuant to the Operating Principles, House
4 Document 187, Eighty-third Congress, and pursuant
5 to the water laws of the State of Colorado: Provided
6 further, That nothing in this Act shall be construed
7 to impede, limit, or prevent the use by the
8 Fryingpan-Arkansas Project of its diversion systems
9 to their full extent.

10 (14) Certain lands in the Arapaho National
11 Forest which comprise approximately 8,095 acres, as
12 generally depicted on a map entitled “Byers Peak
13 Wilderness Proposal”, dated January, 1993, and
14 which shall be known as the Byers Peak Wilderness.

15 (15) Certain lands in the Arapaho National
16 Forest which comprise approximately 12,300 acres,
17 as generally depicted on a map entitled “Vasquez
18 Peak Wilderness Proposal”, dated January, 1993,
19 and which shall be known as the Vasquez Peak Wil-
20 derness.

21 (16) Certain lands in the San Juan National
22 Forest which comprise approximately 28,740 acres,
23 as generally depicted on a map entitled “West Nee-
24 dle Wilderness Proposal and Weminuche Additions”,
25 dated January, 1993, and which are hereby incor-

1 porated in and shall be deemed to be a part of the
2 Weminuche Wilderness designated by Public Law
3 93-632.

4 (17) Certain lands in the Rio Grande National
5 Forest which comprise approximately 25,640 acres,
6 as generally depicted on a map entitled “Wheeler
7 Additions to the La Garita Wilderness Proposal”,
8 dated January, 1993, and which shall be incor-
9 porated into and shall be deemed to be a part of the
10 La Garita Wilderness.

11 (18) Certain lands in the Arapaho National
12 Forest which comprise approximately 13,175 acres,
13 as generally depicted on a map entitled “Farr Wil-
14 derness Proposal”, dated January, 1993, and which
15 shall be known as the Ptarmigan Peak Wilderness.

16 (19) Certain lands in the Arapaho National
17 Forest which comprise approximately 6,990 acres, as
18 generally depicted on a map entitled “Bowen Gulch
19 Additions to Never Summer Wilderness Proposal”,
20 dated January, 1993, which are hereby incorporated
21 into and shall be deemed to be a part of the Never
22 Summer Wilderness.

23 (b) MAPS AND DESCRIPTIONS.—As soon as prac-
24 ticable after the date of enactment of this Act, the appro-
25 priate Secretary shall file a map and a legal description

1 of each area designated as wilderness by this Act with the
2 Committee on Energy and Natural Resources of the Unit-
3 ed States Senate and the Committee on Natural Resources
4 of the United States House of Representatives. Each map
5 and description shall have the same force and effect as
6 if included in this Act, except that the Secretary is author-
7 ized to correct clerical and typographical errors in such
8 legal descriptions and maps. Such maps and legal descrip-
9 tions shall be on file and available for public inspection
10 in the Office of the Chief of Forest Service, Department
11 of Agriculture and the Office of the Director of the Bu-
12 reau of Land Management, Department of the Interior,
13 as appropriate.

14 **SEC. 3. ADMINISTRATIVE PROVISIONS.**

15 (a) IN GENERAL.—(1) Subject to valid existing
16 rights, lands designated as wilderness by this Act shall be
17 managed by the Secretary of Agriculture or the Secretary
18 of the Interior (in the case of the portion of Powderhorn
19 Wilderness managed by the Bureau of Land Management)
20 in accordance with the Wilderness Act (16 U.S.C. 1131
21 et seq.) and this Act, except that, with respect to any wil-
22 derness areas designated by this Act, any reference in the
23 Wilderness Act to the effective date of the Wilderness Act
24 shall be deemed to be a reference to the date of enactment
25 of this Act.

1 (2) Administrative jurisdiction over those lands des-
2 ignated as wilderness pursuant to paragraph (2) of section
3 2(a) of this Act, and which, as of the date of enactment
4 of this Act, are administered by the Bureau of Land Man-
5 agement, is hereby transferred to the Forest Service.

6 (b) GRAZING.—Grazing of livestock in wilderness
7 areas designated by this Act shall be administered in
8 accordance with the provisions of section 4(d)(4) of the
9 Wilderness Act (16 U.S.C. 1133(d)(4)), as further
10 interpreted by section 108 of Public Law 96–560, and,
11 as regards wilderness managed by the Bureau of Land
12 Management, the guidelines set forth in Appendix A of
13 House Report 101–405 of the 101st Congress.

14 (c) STATE JURISDICTION.—As provided in section
15 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
16 nothing in this Act shall be construed as affecting the ju-
17 risdiction or responsibilities of the State of Colorado with
18 respect to wildlife and fish in Colorado.

19 (d) CONFORMING AMENDMENT.—Section 2(e) of the
20 Endangered American Wilderness Act of 1978 (92 Stat.
21 41) is amended by striking “Subject to” and all that fol-
22 lows through “System”.

23 (e) BUFFER ZONES.—Congress does not intend that
24 the designation by this Act of wilderness areas in the State
25 of Colorado creates or implies the creation of protective

1 perimeters or buffer zones around any wilderness area.
2 The fact that nonwilderness activities or uses can be seen
3 or heard from within a wilderness area shall not, of itself,
4 preclude such activities or uses up to the boundary of the
5 wilderness area.

6 (f) WILDERNESS NAME CHANGE.—The wilderness
7 area designated as “Big Blue Wilderness” by section
8 102(a)(1) of Public Law 96–560, and the additions there-
9 to made by paragraphs (1) and (2) of section 2(a) of this
10 Act, shall hereafter be known as the Uncompahgre Wilder-
11 ness. Any reference to the Big Blue Wilderness in any law,
12 regulation, map, document, record, or other paper of the
13 United States shall be considered to be a reference to the
14 Uncompahgre Wilderness.

15 (g)(1) For the purpose of section 7 of the Land and
16 Water Conservation Fund Act of 1965 (16 U.S.C. 4601–
17 9), the boundaries of affected National Forests, as modi-
18 fied by this subsection, shall be considered to be the
19 boundaries of such National Forests as of January 1,
20 1965.

21 (2) Nothing in this subsection shall affect valid exist-
22 ing rights of any person under the authority of law.

23 (3) Authorizations to use lands transferred by this
24 subsection which were issued prior to the date of enact-
25 ment of this Act, shall remain subject to the laws and reg-

1 ulations under which they were issued, to the extent con-
2 sistent with this Act. Such authorizations shall be admin-
3 istered by the Secretary of Agriculture. Any renewal or
4 extension of such authorizations shall be subject to the
5 laws and regulations pertaining to the Forest Service, De-
6 partment of Agriculture, and the applicable law, including
7 this Act. The change of administrative jurisdiction result-
8 ing from the enactment of this subsection shall not in it-
9 self constitute a basis for denying or approving the re-
10 newal or reissuance of any such authorization.

11 **SEC. 4. WILDERNESS RELEASE.**

12 (a) REPEAL OF WILDERNESS STUDY PROVISIONS.—
13 Sections 105 and 106 of the Act of December 22, 1980
14 (Public Law 96–560), are hereby repealed.

15 (b) INITIAL PLANS.—Section 107(b)(2) of the Act of
16 December 22, 1980 (Public Law 96–560), is amended by
17 striking out “, except those lands remaining in further
18 planning upon enactment of this Act, areas listed in sec-
19 tion 105 and 106 of this Act, or previously congressionally
20 designated wilderness study areas,”.

21 **SEC. 5. FOSSIL RIDGE RECREATION MANAGEMENT AREA.**

22 (a) ESTABLISHMENT.—(1) In order to conserve, pro-
23 tect, and enhance the scenic, wildlife, recreational, and
24 other natural resource values of the Fossil Ridge area,
25 there is hereby established the Fossil Ridge Recreation

1 Management Area (hereinafter referred to as the “recre-
2 ation management area”).

3 (2) The recreation management area shall consist of
4 certain lands in the Grand Mesa, Uncompahgre, and Gun-
5 nison National Forests, Colorado, which comprise approxi-
6 mately 43,900 acres as generally depicted as “Area A”
7 on a map entitled, “Fossil Ridge Wilderness Proposal”,
8 dated January, 1993.

9 (b) ADMINISTRATION.—The Secretary of Agriculture
10 shall administer the recreation management area in ac-
11 cordance with this section and the laws and regulations
12 generally applicable to the National Forest System.

13 (c) WITHDRAWAL.—Subject to valid existing rights,
14 all lands within the recreation management area are here-
15 by withdrawn from all forms of entry, appropriation, or
16 disposal under the public land laws, from location, entry,
17 and patent under the mining laws, and from disposition
18 under the mineral and geothermal leasing laws, including
19 all amendments thereto.

20 (d) TIMBER HARVESTING.—No timber harvesting
21 shall be allowed within the recreation management area
22 except for any minimum necessary to protect the forest
23 from insects and disease, and for public safety.

24 (e) LIVESTOCK GRAZING.—The designation of the
25 recreation management area shall not be construed to pro-

1 hibit, or change the administration of, the grazing of live-
2 stock within the recreation management area.

3 (f) DEVELOPMENT.—No developed campgrounds
4 shall be constructed within the recreation management
5 area. After the date of enactment of this Act, no new roads
6 or trails may be constructed within the recreation manage-
7 ment area.

8 (g) OFF-ROAD RECREATION.—Motorized travel shall
9 be permitted within the recreation management area only
10 on those designated trails and routes existing as of July
11 1, 1991.

12 **SEC. 6. BOWEN GULCH PROTECTION AREA.**

13 (a) ESTABLISHMENT.—(1) There is hereby estab-
14 lished in the Arapaho National Forest, Colorado, the
15 Bowen Gulch Protection Area (hereinafter in this Act re-
16 ferred to as the “protection area”).

17 (2) The protection area shall consist of certain lands
18 in the Arapaho National Forest, Colorado, which comprise
19 approximately 11,600 acres as generally depicted as “Area
20 A” on a map entitled “Bowen Gulch Additions to Never
21 Summer Wilderness Proposal”, dated January, 1993.

22 (b) ADMINISTRATION.—The Secretary shall admin-
23 ister the protection area in accordance with this section
24 and the laws and regulations generally applicable to the
25 National Forest System.

1 (c) WITHDRAWAL.—Subject to valid existing rights,
2 all lands within the protection area are hereby withdrawn
3 from all forms of entry, appropriation, or disposal under
4 the public land laws, from location, entry, and patent
5 under the mining laws, and from disposition under the
6 mineral and geothermal leasing laws, including all amend-
7 ments thereto.

8 (d) DEVELOPMENT.—No developed campgrounds
9 shall be constructed within the protection area. After the
10 date of enactment of this Act, no new roads or trails may
11 be constructed within the protection area.

12 (e) TIMBER HARVESTING.—No timber harvesting
13 shall be allowed within the protection area except for any
14 minimum necessary to protect the forest from insects and
15 disease, and for public safety.

16 (f) MOTORIZED TRAVEL.—Motorized travel shall be
17 permitted within the protection area only on those des-
18 ignated trails and routes existing as of July 1, 1991, and
19 only during periods of adequate snow cover. At all other
20 times, mechanized, non-motorized travel shall be per-
21 mitted within the protection area.

22 (g) MANAGEMENT PLAN.—During the preparation of
23 the revision of the Land and Resource Management Plan
24 for the Arapaho National Forest, the Forest Service shall

1 develop a management plan for the protection area, after
2 providing for public consultation.

3 **SEC. 7. OTHER LANDS.**

4 Nothing in this Act shall affect ownership or use of
5 lands or interests therein not owned by the United States
6 or access to such lands available under other applicable
7 law.

8 **SEC. 8. WATER.**

9 (a) FINDINGS, PURPOSE, AND DEFINITIONS.—(1)
10 Congress finds that—

11 (A) the lands designated as wilderness by this
12 Act are located at the headwaters of the streams
13 and rivers on those lands, with few, if any, actual or
14 proposed water resource facilities located upstream
15 from such lands and few, if any, opportunities for
16 diversion, storage, or other uses of water occurring
17 outside such lands that would adversely affect the
18 wilderness values of such lands; and

19 (B) the lands designated as wilderness by this
20 Act are not suitable for use for development of new
21 water resource facilities, or for the expansion of ex-
22 isting facilities; and

23 (C) therefore, it is possible to provide for prop-
24 er management and protection of the wilderness
25 value of such lands in ways different from those uti-

1 lized in other legislation designating as wilderness
2 lands not sharing the attributes of the lands des-
3 ignated as wilderness by this Act.

4 (2) The purpose of this section is to protect the wil-
5 derness values of the lands designated as wilderness by
6 this Act by means other than those based on a federal
7 reserved water right.

8 (3) As used in this section, the term “water resource
9 facility” means irrigation and pumping facilities, res-
10 ervoirs, water conservation works, aqueducts, canals,
11 ditches, pipelines, wells, hydropower projects, and trans-
12 mission and other ancillary facilities, and other water di-
13 version, storage, and carriage structures.

14 (b) RESTRICTIONS ON RIGHTS AND DISCLAIMER OF
15 EFFECT.—(1) Neither the Secretary, nor any other offi-
16 cer, employee, representative, or agent of the United
17 States, nor any other person, shall assert in any court or
18 agency, nor shall any court or agency consider, any claim
19 to or for water or water rights in the State of Colorado,
20 which is based on any construction of any portion of this
21 Act, or the designation of any lands as wilderness by this
22 Act, as constituting an express or implied reservation of
23 water or water rights.

24 (2)(A) Nothing in this Act shall constitute or be con-
25 strued to constitute either an express or implied reserva-

1 tion of any water or water rights with respect to the
2 Piedra, Roubideau, and Tabeguache areas identified in
3 section 9 of this Act, or the Bowen Gulch Protection Area
4 or the Fossil Ridge Recreation Management Area identi-
5 fied in sections 5 and 6 of this Act.

6 (B) Nothing in this Act shall be construed as a cre-
7 ation, recognition, disclaimer, relinquishment, or reduction
8 of any water rights or the United States in the State of
9 Colorado existing before the date of enactment of this Act,
10 except as provided in subsection (g)(2) of this section.

11 (C) Except as provided in subsection (g) of this sec-
12 tion, nothing in this Act shall be construed as constituting
13 an interpretation of any other Act or any designation
14 made by or pursuant thereto.

15 (D) Nothing in this section shall be construed as es-
16 tablishing a precedent with regard to any future wilder-
17 ness designations.

18 (c) NEW OR EXPANDED PROJECTS.—(1) Notwith-
19 standing any other provision of law, on and after the date
20 of enactment of this Act neither the President nor any
21 other officer, employee, or agent of the United States shall
22 fund, assist, authorize, or issue a license or permit for the
23 development of any new water resource facility within the
24 areas described in sections 2, 5, 6 and 9 of this Act or

1 the enlargement of any water resource facility within the
2 areas described in sections 2, 5, 6 and 9 of this Act.

3 (d) ACCESS AND OPERATION.—(1) Subject to the
4 provisions of this subsection (d), the Secretary shall allow
5 reasonable access to water resource facilities in existence
6 on the date of enactment of this Act within the areas de-
7 scribed in sections 2, 5, 6 and 9 of this Act, including
8 motorized access where necessary and customarily em-
9 ployed on routes existing as of the date of enactment of
10 this Act.

11 (2) Existing access routes within such areas cus-
12 tomarily employed as of the date of enactment of this Act
13 may be used, maintained, repaired, and replaced to the
14 extent necessary to maintain their present function, de-
15 sign, and serviceable operation, so long as such activities
16 have no increased adverse impacts on the resources and
17 values of the areas described in sections 2, 5, 6 and 9
18 of this Act than existed as of the date of enactment of
19 this Act.

20 (3) Subject to the provisions of subsections (c) and
21 (d), the Secretary shall allow water resource facilities ex-
22 isting on the date of enactment of this Act within areas
23 described in sections 2, 5, 6 and 9 of this Act to be used,
24 operated, maintained, repaired, and replaced to the extent
25 necessary for the continued exercise, in accordance with

1 Colorado state law, of vested water rights adjudicated for
2 use in connection with such facilities by a court of com-
3 petent jurisdiction prior to the date of enactment of this
4 Act; Provided, That the impact of an existing facility on
5 the water resources and values of the area shall not be
6 increased as a result of changes in the adjudicated type
7 of use of such facility as of the date of enactment of this
8 Act.

9 (4) Water resource facilities, and access routes serv-
10 ing such facilities, existing within the areas described in
11 sections 2, 5, 6 and 9 of this Act on the date of enactment
12 of this Act shall be maintained and repaired when and
13 to the extent necessary to prevent increased adverse im-
14 pacts on the resources and values of the areas described
15 in sections 2, 5, 6 and 9 of this Act.

16 (e) Except as provided in subsections (c) and (d) of
17 this section, the provisions of this Act related to the areas
18 described in sections 2, 5, 6, and 9 of this Act, and the
19 inclusion in the National wilderness Preservation System
20 of the areas described in section 2 of this Act, shall not
21 be construed to affect or limit the use, operation, mainte-
22 nance, repair, modification, or replacement of water re-
23 sources facilities in existence on the date of enactment of
24 this Act within the boundaries of the areas described in
25 sections 2, 5, 6, and 9 of this Act.

1 (f) MONITORING AND IMPLEMENTATION.—The Sec-
2 retaries of Agriculture and the Interior shall monitor the
3 operation of and access to water resource facilities within
4 the areas described in sections 2, 5, 6, and 9 of this Act
5 and take all steps necessary to implement the provisions
6 of this section.

7 (g) INTERSTATE COMPACTS AND NORTH PLATTE
8 RIVER.—(1) Nothing in this Act, and nothing in any pre-
9 vious Act designating any lands as wilderness, shall be
10 construed as limiting, altering, modifying, or amending
11 any of the interstate compacts or equitable apportionment
12 decrees that apportion water among and between the State
13 of Colorado and other States. Except as expressly provided
14 in this section, nothing in this Act shall affect or limit
15 the development or use by existing and future holders of
16 vested water rights of Colorado's full apportionment of
17 such waters.

18 (2) Notwithstanding any other provision of law, nei-
19 ther the Secretary nor any other officer, employee, or
20 agent of the United States, or any other person, shall as-
21 sert in any court or agency of the United States or any
22 other jurisdiction any rights, and no court or agency of
23 the United States shall consider any claim or defense as-
24 serted by any person based upon such rights, which may
25 be determined to have been established for waters of the

1 North Platte River for purposes of the Platte River Wil-
2 derness Area established by Public Law 98–550, located
3 on the Colorado-Wyoming state boundary, to the extent
4 such rights would limit the use or development of water
5 within Colorado by present and future holders of vested
6 water rights in the North Platte River and its tributaries,
7 to the full extent allowed under interstate compact or
8 United States Supreme Court equitable decree. Any such
9 rights shall be exercised as if junior to, in a manner so
10 as not to prevent, the use or development of Colorado’s
11 full entitlement to interstate waters of the North Platte
12 River and its tributaries within Colorado allowed under
13 interstate compact or United States Supreme Court equi-
14 table decree.

15 **SEC. 9. PIEDRA, ROUBIDEAU, AND TABEGUACHE AREAS.**

16 (a) AREAS.—The provisions of this section shall
17 apply to the following areas:

18 (1) Certain lands in the San Juan National
19 Forest, comprising approximately 62,550 acres as
20 generally depicted on the map entitled “Piedra
21 Area” dated January, 1993; and

22 (2) Certain lands in the Grand Mesa,
23 Uncompahgre, and Gunnison National Forests, com-
24 prising approximately 19,650 acres, as generally de-

1 picted on the map entitled “Roubideau Area” dated
2 January, 1993; and

3 (3) Certain lands in the Grand Mesa,
4 Uncompahgre, and Gunnison National Forests and
5 in the Montrose District of the Bureau of Land
6 Management, comprising approximately 17,240
7 acres, as generally depicted on the map entitled
8 “Tabeguache Area” dated January, 1993.

9 (b) MANAGEMENT.—(1) Subject to valid existing
10 rights, the areas described in subsection (a) are withdrawn
11 from all forms of location, leasing, patent, disposition, or
12 disposal under public land, mining, and mineral and geo-
13 thermal leasing laws of the United States.

14 (2) The areas described in subsection (a) shall not
15 be subject to any obligation to further study such lands
16 for wilderness designation.

17 (3) Until Congress determines otherwise, and subject
18 to the provisions of section 8 of this Act, activities within
19 such areas shall be managed by the Secretary of Agri-
20 culture and Secretary of the Interior so as to maintain
21 the areas’ presently existing wilderness character and po-
22 tential for the inclusion in the National Wilderness Preser-
23 vation System.

24 (4) Livestock grazing in such areas shall be permitted
25 and managed to the same extent and in the same manner

1 as of the date of enactment of this Act. Except as provided
2 by this Act, mechanized or motorized travel shall not be
3 permitted in such areas; Provided, That the Secretary may
4 permit motorized travel on trail number 535 in the San
5 Juan National Forest during periods of adequate snow
6 cover.

7 (c) DATA COLLECTION.—The Secretary of Agri-
8 culture and the Secretary of the Interior, in consultation
9 with the Colorado Water Conservation Board, shall com-
10 pile data concerning the water resources of the areas de-
11 scribed in subsection (a), and existing and proposed water
12 resource facilities affecting such values.

13 **SEC. 10. SPANISH PEAKS FURTHER PLANNING AREA**
14 **STUDY.**

15 (a) REPORT.—Not later than three years from the
16 date of enactment of this Act, the Secretary shall report
17 to the Committee on Natural Resources of the United
18 States House of Representatives and the Committee on
19 Energy and Natural Resources of the United States Sen-
20 ate on the status of private property interests located
21 within the Spanish Peaks further planning area of the
22 Pike-San Isabel National Forest in Colorado.

23 (b) CONTENTS OF REPORT.—The report required by
24 this section shall identify the location of all private prop-
25 erty situated within the exterior boundaries of the Spanish

1 Peaks area; the nature of such property interests; the
2 acreage of such private property interests; and the Sec-
3 retary's views on whether the owners of said properties
4 would be willing to enter into either a sale or exchange
5 of these properties at fair market value if such a trans-
6 action became available in the near future.

7 (c) No authorization of eminent domain. Nothing
8 contained in this Act authorizes, and nothing in this Act
9 shall be construed to authorize, the acquisition of real
10 property by eminent domain.

11 (d) For a period of three years from the date of en-
12 actment of this Act, the Secretary shall manage the Span-
13 ish Peaks Further Planning Area as provided by the Colo-
14 rado Wilderness Act of 1980.

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